

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS FOR HB 331 Education

SPONSOR(S): Schools & Learning Council; Bean

TIED BILLS: IDEN./SIM. BILLS: SB 284

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Schools & Learning Council		Merritt	Cobb
2) Policy & Budget Council			
3)			
4)			
5)			

SUMMARY ANALYSIS

The bill outlines the criteria that charter technical career centers must meet to use the designation “technical college.”

The effective date provided is July 1, 2008.

The bill appears to have no fiscal impact.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Background

Charter Technical Career Centers

A charter technical career center is a public school or a public technical center that is operated under a charter granted by a district school board, a community college board of trustees, or a consortium of one or more of each of these.¹ An application to establish a charter technical career center must include, in addition to other information, the name of the proposed center.² The charter must be signed by both the governing body of the center and the sponsor of the center and must be approved by the district school board and community college board of trustees in whose geographic region the facility is located.³ The charter technical career center is managed by a board of directors. The board of directors is authorized to decide matters relating to the operation of the school, including budgeting, curriculum, and operating procedures, subject to the center's charter.⁴

Three charter technical career centers have been established since the Legislature authorized these centers in 1999 – Flagler/Volusia Advanced Technology Center in Volusia County (2001); First Coast Technical Institute in St. Johns County (1999); and Lake Technical Center in Lake County (2004).

Advanced Technology Center – offers PSAV programs, postsecondary vocational (PSV) certificate programs, apprenticeship programs, associate in applied science (AAS) degree programs, and associate in science (AS) degree programs.

First Coast Technical Institute – offers adult education programs, postsecondary adult vocational (PSAV) certificate programs, applied technology diploma (ATD) programs, apprenticeship programs, and continuing workforce education programs.

Lake Technical Center – offers adult education programs, PSAV programs, apprenticeship programs, and continuing workforce education programs.

Accreditation

State universities and public community colleges in Florida are accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS COC).⁵ All of Advanced Technology Center's programs are accredited under Daytona Beach Community College's Southern Association of

¹ See s. 1002.34(3)(a), F.S.

² See s. 1002.34(4), F.S.

³ *Id.*

⁴ See s. 1002.34(13), F.S.

⁵ SACS COC accredits institutions of higher education that award associate, baccalaureate, master's, or doctoral degrees.

Colleges and Schools level-two accreditation.⁶ First Coast Technical Institute is accredited by the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI) and the Council on Occupational Education (COE).⁷ Lake Technical Center is accredited by COE.

Use of the Designation “College” or “University” in Current Law

Section 1005.03, F.S. restricts the use of the designation “college” or “university” in Florida to colleges or universities as defined in s. 1005.02, F.S., that offer degrees as defined in s. 1005.02, F.S., and fall into at least one of the following categories:⁸

- A Florida public college.
- A Florida or out-of-state college that has been in active operation and using the designation “college” or “university” since April 1, 1970.
- A college for which the Commission for Independent Education (CIE) has issued a license pursuant to the provisions of Chapter 1005, F.S.
- A college that is eligible to participate in the Florida Resident Access Grant Program.
- Certain institutions that are not under the jurisdiction of the CIE because of grandfather provisions or because of religious college status.⁹

Any entity offering postsecondary educational courses or programs of study in Florida, whether or not college credit is awarded, is subject to the provisions of s. 1005.03, F.S.¹⁰

The CIE is responsible for setting licensing standards, reviewing applications for and issuing licenses, and monitoring the consumer practices of all independent postsecondary education institutions in Florida with the exception of those independent nonprofit colleges or universities eligible to participate in the Florida Resident Access Grant program.¹¹ The standards and procedures for licensure of institutions under the jurisdiction of the CIE are set forth in Rule 6E-2.004, F.A.C. An institution seeking licensure from the CIE may use the term “college” in its name if it offers, or if a new applicant for licensure proposes to offer, as the majority of its total offerings and student enrollments, an academic associate degree, a baccalaureate degree, or a graduate or professional degree. Other conditions relating to facilities and evidence of continued operations also apply.

Following the 2007 Legislative Session, the Florida House of Representatives Committee on Postsecondary Education compiled a report on the use of the designation “college” by career centers and charter technical career centers.¹² In preparing this report, the committee looked at institutions in

⁶ DOE annual comparative evaluation of charter technical career centers and public technical centers.

⁷ SACS CASI accredits Elementary, Middle, and Secondary Schools and school districts. COE accredits postsecondary occupational institutions that offer certificate, diploma, or applied associate degree programs.

⁸ Section 1005.02, F.S., defines “college” or “university” as any incorporated postsecondary educational entity, and its additional locations, offering a substantially complete program that confers or offers to confer at least an associate degree requiring at least 15 semester hours or the equivalent of general education, or that furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit. The terms include any college-credit-granting independent educational institution that is chartered in this state and any center or branch campus within this state of an out-of-state institution at the college-credit level. Section 1005.02, F.S. defines “degree” as any educational credential that is generally taken to signify satisfactory completion of the requirements of an undergraduate, graduate, academic, educational, or professional program of study or any honorary credential conferred for meritorious recognition. At the undergraduate level, an institution may not award a degree for a program unless it includes a general education component as established by rule and at least 60 semester hours or 90 quarter hours of study or the equivalent.

⁹ See s. 1005.03, F.S.

¹⁰ See s. 1005.03(3), F.S.

¹¹ The Florida House of Representatives Schools & Learning Council, 2008 *Education Fact Sheets*.

¹² Florida House of Representatives, Schools & Learning Council, *Use Of The Designation “College” By Career Centers & Charter Technical Career Centers* (2008).

other Southern Regional Education Board (SREB) states. Of the institutions that were reviewed, the ones that used the designation “technical college” offered degree programs.

According to the Department of Education, the names of First Coast Technical Center and Advanced Technology Center were changed in 2007.

- The name change from Advanced Technology Center to Advanced Technology College was approved by the governing board of the center (the board of directors of Advanced Technology Center) and the sponsor/community college board of trustees in whose geographic region the facility is located (the Daytona Beach Community College Board of Trustees).¹³
- The name change from First Coast Technical Institute to First Coast Technical College was approved by the governing board of the center (the board of directors of First Coast) and the sponsor/district school board in whose geographic region the facility is located (the St. Johns County School Board).¹⁴

Statewide Course Numbering System

The purpose of the Statewide Course Numbering System (SCNS) is to facilitate student acceleration and the transfer of students and credits between public school districts, public postsecondary educational institutions, and participating nonpublic educational institutions.

Section 1007.23, F.S., requires the State Board of Education (SBE) and the Board of Governors to enter into a statewide articulation agreement that preserves Florida’s “2+2” system of articulation and facilitates the seamless articulation of credit across and among Florida’s educational entities. Among other things, the statewide articulation agreement must guarantee the statewide articulation of appropriate workforce education programs and courses between school districts and community colleges. The SBE must adopt the statewide articulation agreement in rule.¹⁵ Florida’s statewide articulation agreement is viewed as the most comprehensive articulation agreement in the nation.¹⁶

Proposed Changes

The bill establishes criteria that charter technical career centers must meet to use the designation “technical college.” A charter technical career center that was in operation prior to July 1, 2008, may use the designation “technical college” under the following conditions:

- The charter technical career center must have the approval of the center’s board of directors, the center’s sponsor, the district school board that initially approved the center’s charter, and the community college board of trustees that initially approved the center’s charter to change the center’s name.
- The charter technical career center must have the approval of the center’s board of directors, the center’s sponsor, the district school board that initially approved the center’s charter, and the community college board of trustees that initially approved the charter to offer one or more associate in applied science (AAS) degree programs. Separate approval is required for each degree program the center plans to offer.

¹³ Conversation with DOE on February 8, 2008.

¹⁴ *Id.*

¹⁵ See s. 1007.23(1), F.S. The statewide articulation agreement is codified in Rule 6A-10.024, F.A.C.

¹⁶ DOE, *Statewide Postsecondary Articulation Manual* (Revised April 2007).

- The charter technical career center must participate fully in the statewide course numbering system.
- The charter technical career center must comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education.
- The charter technical career center must be accredited by the SACS COC.

The bill permits a charter technical career center to use the designation “technical college” while the center pursues accreditation by SACS COC. If the center has the approval of its board of directors, the center’s sponsor, and the district school board and community college board of trustees that initially approved the center’s charter to both change its name and to offer one or more AAS degree programs.

A charter technical career center that begins operation after July 1, 2008 may not use the designation “technical college” unless specifically authorized by the Legislature.

The bill prohibits charter technical career centers from using the designation “college.”

The bill prohibits a charter technical career center that is sponsored by a school district from offering associate in arts or associate in science degree programs unless specifically authorized by the Legislature.

C. SECTION DIRECTORY:

Section 1: Adds subsection s. 1002.34(20), F.S., providing conditions for use of the designations “technical college” and “college”; prohibiting certain degrees.

Section 2: Provides an effective date of July 1, 2008.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments.

2. Expenditures:
See Fiscal Comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill appears to have no fiscal impact.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require a city or county to expend funds or to take any action requiring the expenditure of funds.

The bill does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate.

This bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

D. STATEMENT OF THE SPONSOR

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES